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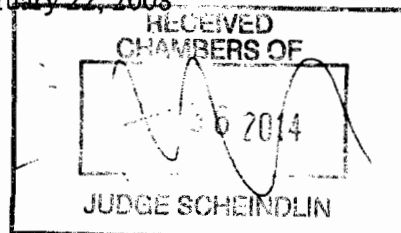
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Please Reply To The Cranford, New Jersey Office

February 22, 2008



**VIA FACSIMILE (212) 805-7920**

Honorable Shira A. Scheindlin, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Rc: Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 342  
Commercial Health Care Fund v. The Kosher Emporium of Merrick, Inc. a/k/a  
Kosher Emporium  
Case No. 07-cv-11094 (SAS)(DFE)

Dear Judge Scheindlin:

We represent Petitioner, Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 342 Commercial Health Care Fund, in connection with the above-referenced action. Last week, Your Honor extended our time to file a default judgment against the Respondent by today; however, we still have not received the Affidavit of Service from our process server. We are unable to file the default judgment without the Affidavit of Service. We contacted the process server again, who informed me that they would be sending out a new Affidavit of Service. We gave them our Federal Express account number in order to expedite the mailing.

Based upon the foregoing, we respectfully request a one (1) week extension until Friday, February 29, 2008 to file our default judgment papers.

Thank you for Your Honor's time and attention to this matter.

Respectfully submitted,

ANDREW JOHN CALCAGNO

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2/22/08

*Request granted.  
Plaintiff's time to move  
for a default  
extended to 2/29/08*

*So ordered. USDJ*